

SPECIFICATION AMENDMENTSI. Brief Description of the Preferred Embodiments

a. Please replace the paragraph appearing on page 3:14-25 with the following paragraph:

In accordance with one embodiment of the present invention, a slip-resistant extremity covering for a person practicing yoga is disclosed, comprising, in combination, an extremity covering dimensioned to fit snugly around an extremity of a person, the extremity covering having a palmer surface and a dorsal surface, the extremity covering being constructed of a sufficiently malleable material so as to allow an extremity a full range of movement, and a slip-resistant material coupled to at least one of the palmer surface and the dorsal surface, the slip-resistant material having a ~~[[low]]~~ high coefficient of friction while at the same time allowing the extremity a full range of movement while inside the extremity covering.

II. Detailed Description of the Preferred Embodiments

a. Please replace the paragraphs of the Detailed Description of the Preferred Embodiments section on page 6:1 through page 10:7 with the following paragraphs:

Referring to Figures 1-6, reference numbers 10a, 10b, 10c,

10d, 10e, and 10f refer to different embodiments of the slip-resistant extremity covering (referred to generically as the slip-resistant extremity covering 10) of the present invention.

The slip-resistant extremity covering 10 is for a person practicing yoga and comprises generically an extremity covering 12 dimensioned to fit snugly around an extremity of a person. The extremity covering 12 has a palmer surface 14 and a dorsal surface 16 and is constructed of a sufficiently malleable material so as to allow an extremity a full range of movement. A slip-resistant material (referred to generically as slip-resistant material 18) is coupled to at least one of the palmer surface 14 and the dorsal surface 16. The slip-resistant material 18 has a ~~low~~ high coefficient of friction while at the same time allows the extremity a full range of movement while inside the extremity covering 12. Preferably, the extremity covering 12 is comprised of a breathable cotton-lycra type fabric that is made of an absorbent material capable of absorbing perspiration, although it should be clearly understood that substantial benefit could be derived from an alternative configuration of the extremity covering 12 in which an alternative material is used, such as some other type of breathable material, or a non-breathable material with ventilation apertures, so long as the extremity covering 12 comprises a slip-resistant material 18.

Referring now to Figures 1a-1b, reference number 10a refers

to one embodiment of the slip-resistant extremity covering 10 for a person practicing yoga of the present invention. The slip-resistant extremity covering 10a comprises an extremity covering 12a dimensioned to fit snugly around a foot 13 of a person. A slip-resistant material 18a, having a ~~low~~ high coefficient of friction, is coupled to the palmer surface 14 of the extremity covering 12a. The slip-resistant material 18a, while preventing slippage, also allows the foot 13 a full range of movement to practice yoga techniques. The slip-resistant material 18a of the extremity covering 12a is comprised of a plurality of spaced-apart raised surfaces.

Referring now to Figures 2a-2b, reference number 10b refers to one embodiment of the slip-resistant extremity covering 10 for a person practicing yoga of the present invention. The slip-resistant extremity covering 10b comprises an extremity covering 12b dimensioned to fit snugly around a foot 13 of a person. A slip-resistant material 18b, having a ~~low~~ high coefficient of friction, is coupled to both a palmer surface 14 and a dorsal surface 16 of the extremity covering 12b. The slip-resistant material 18b, while preventing slippage, also allows the foot 13 a full range of movement to practice yoga techniques. While, in the preferred embodiment, the slip-resistant material 18b of the extremity covering 12b and the slip resistant material 18a of the extremity covering 12a is comprised of a plurality of spaced-apart raised surfaces, it

should be clearly understood that substantial benefit could be derived from an alternative configuration of the slip-resistant extremity coverings 10a and 10b in which the slip-resistant materials 18a and 18b comprise a slip-resistant material 18 having another configuration, such as dumbbell-shaped, uniformly shaped, or some other configuration, so long as the slip-resistant material prevents slippage when a person is executing a yoga technique, while at the same time the slip-resistant material allows a person's foot 13 a full range of movement.

Referring now to Figure 3, reference number 10c refers to one embodiment of the slip-resistant extremity covering 10 for a person practicing yoga of the present invention. The slip-resistant extremity covering 10c comprises an extremity covering 12c dimensioned to fit snugly around a hand 15 of a person. A slip-resistant material 18c, having a ~~low~~ high coefficient of friction, is coupled preferably to the palmer surface 14 (and in one embodiment also to a dorsal surface (not shown) of the extremity covering 12c). The slip-resistant material 18c, while preventing slippage, also allows the hand 15 a full range of movement to practice yoga techniques. The extremity covering 12c shown in Figure 3 shows a slip-resistant material 18c that is substantially dumbbell-shaped and concentrated only on a palm area of the hand 15, and not the fingers. However, it should be clearly understood that substantial benefit could be derived from an alternative configuration of the slip-resistant

extremity covering 10c in which the slip-resistant material 18c is comprised of an alternative shape or configuration and/or covers the fingers area as well so long as the slip-resistant material prevents slippage when a person is executing a yoga technique, while at the same time the slip-resistant material allows a person's hand 15 a full range of movement.

Referring now to Figures 4-6, reference numbers 10d, 10e and 10f refer to three similar embodiments of the slip-resistant extremity covering 10 for a person practicing yoga of the present invention. The slip-resistant extremity coverings 10d, 10e and 10f all comprise an extremity covering dimensioned to fit snugly around a hand 15 of a person. A slip-resistant material 18, having a ~~low~~ high coefficient of friction, is coupled preferably to the palmer surface 14 (and in one embodiment also to a dorsal surface (not shown) of the extremity covering 12). The slip-resistant material 18, while preventing slippage, also allows the hand 15 a full range of movement to practice yoga techniques. The extremity covering 12d shown in Figure 4 shows a slip-resistant material 18d that is substantially ball-shaped, comprising a plurality of spaced-apart raised surfaces, and is concentrated both on a palm area of the hand 15 as well as the fingers. The extremity covering 12e shown in Figure 5 shows a slip-resistant material 18e that is substantially dumbbell-shaped, and is also concentrated both on a palm area of the hand 15 as well as the fingers. The

extremity covering 12f shown in Figure 6 shows a slip-resistant material 18f that is substantially uniform in shape, and is also concentrated both on a palm area of the hand 15 as well as the fingers. However, it should be clearly understood that substantial benefit could be derived from an alternative configuration of the slip-resistant extremity coverings 10d, 10e and 10f in which the slip-resistant material is comprised of an alternative shape or configuration and/or covers only the palm area and not the area of the fingers.

While the invention has been particularly shown and described with reference to preferred embodiments thereof, it will be understood by those skilled in the art that the foregoing and other changes in form and details may be made therein without departing from the spirit and scope of the invention.

#### REMARKS

##### I. Election/Restriction

During a telephone conversation with Craig Weiss on March 1, 2005, a provisional election was made without traverse to prosecute the invention of the hand covering. Applicant agrees with the Examiner's assessment that Claims 1 and 10 are generic to each of the species identified by the Examiner. Each of the species identified by the Examiner comprises an extremity

covering with slip-resistant material on its palmer and/or dorsal surface. In order to fully respond to the Office Action, Applicant elects the species of the hand covering of Figures 3-6 and Claims 1, 2, 4-11, and 13-18.

## II. Specification

As the Examiner has noted in the Office Action, all instances of "low coefficient of friction" should read "high coefficient of friction." The Specification has been amended accordingly.

## III. Objections

The Examiner has objected to Claims 1, 4, 6, 7, 13, 15, and 16 because all instances of "low coefficient of friction" should read "high coefficient of friction." Applicant respectfully submits that Claims 1, 4, 6, 7, 13, 15, and 16 have been amended accordingly and the objections should now be obviated.

## IV. Rejections Based on 35 U.S.C. §102

The Examiner has rejected Claims 1, 2, 4, 6-11, 13, and 15-18 under 35 U.S.C. §102(e) as being anticipated by Aarons (U.S. Pat. No. 6,766,536). Applicant respectfully submits that the attached declaration and showing under 37 CFR §41.202(d) show that the subject reference patent (i.e. Aarons) is not prior art and that the rejections under 35 U.S.C. §102(e) are therefore overcome.

#### V. Rejections Based on 35 U.S.C. §103

The Examiner has rejected Claims 5 and 14 under 35 U.S.C. §103(a) as being unpatentable over Aarons. Applicant respectfully submits that the attached declaration and showing under 37 CFR §41.202(d) show that the subject reference patent (i.e. Aarons) is not prior art and that the rejections under 35 U.S.C. §103(a) are therefore overcome.

#### VI. New Claims 19-22

In order to suggest an interference under 37 CFR §41.202 within one year of the publication date of the reference Aarons patent, Applicant has copied claims 1, 2, 3, and 9 from the Aarons patent into the above-referenced patent application. These four copied claims appear as new Claims 19-22. Support for these new claims will be found in various areas of the Specification and Figures, as is detailed in the Applicant's Suggestion for Interference Under 37 CFR §41.202(a) section below.

#### VII. Conclusion

Applicant respectfully submits that this Amendment Letter, in view of the Remarks offered herein, is fully responsive to all aspects of the objections and rejections tendered by the Examiner in the Office Action. Applicant further respectfully submits that the attached declaration and showing under 37 CFR §41.202(d) establish that Applicant is *prima facie* entitled to a



judgment relative to the patentee based on priority of invention and that the subject reference patent (i.e. Aarons), therefore, is not prior art. If there are any fees incurred by this Amendment Letter, please deduct them from our Deposit Account No. 23-0830.

Respectfully submitted,



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**APPLICANT'S SUGGESTION FOR INTERFERENCE UNDER 37 CFR §41.202(a)****I. The Patent with Which the Applicant Seeks an Interference**

The named inventor Judy-Lynne Alley hereby wishes to suggest an interference with cited reference U.S. Pat. No. 6,766,536 issued to Martha I. Aarons ("Aarons patent") and to submit evidence to demonstrate that she is *prima facie* entitled to a judgment relative to the patentee based on priority of invention. Applicant notes that the suggestion of the interference and the copying of claims from the Aarons patent into the subject patent application are hereby made within one year of the publication date of the Aarons patent.

**II. Interfering Claims, Proposed Counts, and Correspondence of Claims to the Counts**

a. Applicant believes that the following claims of the Aarons patent interfere: 1, 2, 3, and 9

b. Applicant proposes the following counts:

1. A glove comprising:

a fabric portion having a fabric exterior surface throughout; and

an anti-skid portion having an anti-skid exterior surface throughout;

wherein the fabric portion is connected to the anti-skid portion;

wherein the fabric portion includes a dorsal part;  
wherein the anti-skid portion includes an outer thumb part;  
wherein the outer thumb part overlies a thumb bending axis;  
and  
wherein the outer thumb part is substantially centered  
about the thumb bending axis.

2. A glove comprising:

a fabric portion having a fabric exterior surface  
throughout; and  
an anti-skid portion having an anti-skid exterior surface  
throughout;  
wherein the fabric portion is connected to the anti-skid  
portion;  
wherein the fabric portion includes a dorsal part;  
wherein the anti-skid portion includes an outer thumb part;  
as part of a yoga support system that includes a pair of  
the gloves and a pair of yoga slippers, wherein the yoga  
slippers each include:  
a slipper fabric portion having a slipper fabric  
exterior surface throughout; and  
a slipper anti-skid portion with a slipper anti-skid  
exterior surface throughout;  
wherein the slipper anti-skid portion includes a sole part,  
and a pair of side parts overlying both sides of the foot of a

use; and

wherein the side parts extend along substantially all of both sides of the slipper at a level of at least mid-toe height of a wearer.

3. A method of performing yoga, comprising:

placing a pair of gloves on respective hands of a yoga practitioner, wherein the gloves each includes a glove anti-skid portion having an anti-skid exterior surface throughout;

placing a pair of slippers on respective feet of the yoga practitioner, wherein the slippers each include a slipper anti-skid exterior surface, wherein the side parts of the slipper anti-skid exterior surface extend along substantially all of both sides of the slipper at a level of at least mid-toe height of a wearer; and

having the yoga practitioner assume a yoga position;

wherein the having includes placing the glove anti-skid surfaces in contact with a rigid surface; and

wherein the having includes placing the slipper anti-skid exterior surfaces in contact with a floor.

4. A yoga support system comprising:

a pair of yoga gloves and a pair of yoga slippers;

wherein the yoga gloves and the yoga slippers are configured for use simultaneously by a yoga practitioner to prevent slipping by the yoga practitioner,

wherein each of the gloves includes:

a glove fabric portion; and

a glove anti-skid portion connected to the glove fabric portion;

wherein the glove fabric portion is connected to the glove anti-skid portion; and

wherein each of the yoga slippers includes:

a slipper fabric portion having a slipper fabric exterior surface throughout; and

a slipper anti-skid portion with a slipper anti-skid exterior surface throughout;

wherein the slipper anti-skid portion is connected to the slipper fabric portion;

wherein the slipper anti-skid portion includes a sole part, and a pair of side parts overlying both sides of the foot of a user; and

wherein the side parts extend along substantially all of both sides of the slipper at a level of at least mid-toe height of a wearer.

c. The interfering claims correspond to the proposed counts in the following manner:

1. Interfering independent Claim 1 is identical to Proposed Count 1;

2. Interfering independent Claim 2 is identical to

Proposed Count 2;

3. Interfering independent Claim 3 is identical to  
Proposed Count 3; and

4. Interfering independent Claim 9 is identical to  
Proposed Count 4.

III. Claim Chart Comparing Patentee's and Applicant's Claims to  
Proposed Counts and Reasons for Interference

Proposed Count	Patentee's Claim	Applicant's New Claim
1	1	19
2	2	20
3	3	21
4	9	22

a. Patentee's Claim 1 interferes with Applicant's Claim 19  
because the subject matter of Patentee's Claim 1 would, if prior  
art, have anticipated or rendered obvious the subject matter of  
Applicant's Claim 19 and vice versa;

b. Patentee's Claim 2 interferes with Applicant's Claim 20  
because the subject matter of Patentee's Claim 2 would, if prior  
art, have anticipated or rendered obvious the subject matter of  
Applicant's Claim 20 and vice versa;

because the subject matter of Patentee's Claim 3 would, if prior art, have anticipated or rendered obvious the subject matter of Applicant's Claim 21 and vice versa; and

d. Patentee's Claim 9 interferes with Applicant's Claim 22 because the subject matter of Patentee's Claim 9 would, if prior art, have anticipated or rendered obvious the subject matter of Applicant's Claim 22 and vice versa.

IV. Reasons the Applicant will Prevail on Priority

Applicant respectfully submits that she is *prima facie* entitled to a judgment relative to the Patentee based on priority of invention. In this regard, Applicant respectfully submits that she conceived of the invention and exercised diligence until actual reduction to practice prior to February 27, 2003.

V. Claim Chart for Added Claims and Supporting Portions of Applicant's Specification

Copied Claim	Applicant's Disclosure
19. A glove comprising:  (a) a fabric portion  having a fabric exterior	Title; P.5:4-25, Figures 3-6  (a) fabric, P.6:18; around extremity, P.6:8; palmer and

surface throughout; and	dorsal surface, p.6:9-10
(b) an anti-skid portion having an anti-skid exterior surface throughout;	(b) slip-resistant material, P.6:11-13
(c) wherein the fabric portion is connected to the anti-skid portion;	(c) coupled to at least one of the palmer surface and dorsal surface, P.6:11-14
(d) wherein the fabric portion includes a dorsal part;	(d) dorsal surface P.6:9-10
(e) wherein the anti-skid portion includes an outer thumb part;	(e) slip-resistant material substantially covers fingers, P.5:9-25, Figures 4-6
(f) wherein the outer thumb part overlies a thumb bending axis; and	(f) slip-resistant material substantially covers fingers, P.5:9-25, Figures 4-6
(g) wherein the outer thumb part is substantially centered about the thumb bending axis.	(g) slip-resistant material substantially covers fingers, P.5:9-25, Figures 4-6



20. A glove comprising:	Title; P.5:4-25, Figures 3-6
(a) a fabric portion having a fabric exterior surface throughout; and	(a) fabric, P.6:18; around extremity, P.6:8; palmer and dorsal surface, p.6:9-10
(b) an anti-skid portion having an anti-skid exterior surface throughout;	(b) slip-resistant material, P.6:11-13
(c) wherein the fabric portion is connected to the anti-skid portion;	(c) coupled to at least one of the palmer surface and dorsal surface, P.6:11-14
(d) wherein the fabric portion includes a dorsal part;	(d) dorsal surface P.6:9-10
(e) wherein the anti-skid portion includes an outer thumb part;	(e) slip-resistant material substantially covers fingers, P.5:9-25, Figures 4-6
(f) as part of a yoga support system that includes a pair of the gloves and a pair of yoga slippers, wherein the	(f) slip-resistant extremity covering to fit over hands and feet allowing a person to execute asanas and other yoga

<p>yoga slippers each include:</p> <p>(g) a slipper fabric portion having a slipper fabric exterior surface throughout; and</p> <p>(h) a slipper anti-skid portion with a slipper anti-skid exterior surface throughout;</p> <p>(i) wherein the slipper anti-skid portion includes a sole part, and a pair of side parts overlying both sides of the foot of the user; and</p> <p>(j) wherein the side parts extend along substantially all of both sides of the slipper at a level of at least mid-toe height of a wearer.</p>	<p>techniques, P.2:23-27, Fig. 1a-6</p> <p>(g) fabric, P.6:18; around extremity, P.6:8; fit snugly around a foot, P.7:1-3</p> <p>(h) slip-resistant material coupled to extremity covering, P.7:3-6</p> <p>(i) extremity covering fit around foot and slip-resistant material coupled to palmer surface of extremity covering, P.7:1-6, P.4:16-19, Figs. 1a, 2a</p> <p>(j) extremity covering fit around foot and slip-resistant material coupled to palmer surface of extremity covering, P.7:1-6, P.4:16-19, Figs. 1a, 2a</p>
<p>21. A method of performing yoga, comprising:</p>	<p>Method for practicing yoga, P.4:2</p>

<p>(a) placing a pair of gloves on respective hands of a yoga practitioner, wherein the gloves each includes a glove anti-skid portion having an anti-skid exterior surface throughout;</p>	<p>(a) extremity covering fit over hands allowing person to execute asanas and other yoga techniques, P.2:23-27, Fig. 3-6; slip-resistant material on palmer and dorsal surfaces, P.8:11-15</p>
<p>(b) placing a pair of slippers on respective feet of the yoga practitioner, wherein the slippers each include a slipper anti-skid exterior surface, wherein the side parts of the slipper anti-skid exterior surface extend along substantially all of both sides of the slipper at a level of at least mid-toe height of a wearer; and</p>	<p>(b) extremity covering fit over feet allowing person to execute asanas and other yoga techniques, P.2:23-27, Fig. 1a, 2a; slip-resistant material coupled to extremity covering, P.7:3-6; extremity covering fit around foot and slip-resistant material coupled to palmer surface of extremity covering, P.7:1-6, P.4:16-19, Figs. 1a, 2a</p>
<p>(c) having the yoga practitioner assume a yoga position;</p>	<p>(c) practicing a yoga technique, P.4:8-9</p>

<p>(d) wherein the having includes placing the glove anti-skid surfaces in contact with a rigid surface; and</p> <p>(e) wherein the having includes placing the slipper anti-skid exterior surfaces in contact with a floor.</p>	<p>(d) practicing a yoga technique, P.4:8-9; on yoga mat or on the floor, P.2:9-14</p> <p>(e) practicing a yoga technique, P.4:8-9; on yoga mat or on the floor, P.2:9-14</p>
<p>22. A yoga support system comprising:</p> <p>(a) a pair of yoga gloves and a pair of yoga slippers;</p> <p>(b) wherein the yoga gloves and the yoga slippers are configured for use simultaneously by a yoga practitioner to prevent slipping by the yoga practitioner,</p> <p>(c) wherein each of the gloves includes:</p>	<p>Title, P.3:14-15</p> <p>(a) extremity covering to fit over hands and feet, P.2:23-27</p> <p>(b) slip-resistant extremity covering to fit over hands and feet allowing a person to execute asanas and other yoga techniques, P.2:23-27, Fig. 1a-6</p>

(i) a glove fabric portion; and

(ii) a glove anti-skid portion connected to the glove fabric portion;

(iii) wherein the glove fabric portion is connected to the glove anti-skid portion; and

(d) wherein each of the yoga slippers includes:

(i) a slipper fabric portion having a slipper fabric exterior surface throughout; and

(ii) a slipper anti-skid portion with a slipper anti-skid exterior surface throughout;

(i) fabric, P.6:18; fit snugly around hand, P.8:9-11

(ii) slip-resistant material coupled to palmer surface, P.8:11-13

(iii) coupled to at least one of the palmer surface and dorsal surface, P.6:11-14

(i) fabric, P.6:18; around extremity, P.6:8; fit snugly around a foot, P.7:1-3

(ii) slip-resistant material coupled to extremity covering, P.7:3-6

<p>(e) wherein the slipper anti-skid portion is connected to the slipper fabric portion;</p>	<p>(e) coupled to at least one of the palmer surface and dorsal surface, P.6:11-14</p>
<p>(f) wherein the slipper anti-skid portion includes a sole part, and a pair of side parts overlying both sides of the foot of a user; and</p>	<p>(f) extremity covering fit around foot and slip-resistant material coupled to palmer surface of extremity covering, P.7:1-6, P.4:16-19, Figs. 1a, 2a</p>
<p>(g) wherein the side parts extend along substantially all of both sides of the slipper at a level of at least mid-toe height of a wearer.</p>	<p>(g) extremity covering fit around foot and slip-resistant material coupled to palmer surface of extremity covering, P.7:1-6, P.4:16-19, Figs. 1a, 2a</p>

#### VI. Benefit for Constructive Reduction to Practice

Applicant respectfully submits, and the attached Declaration supports, that the subject matter of the patent application at issue as well as the subject matter of the new copied claims 19-22 were *actually* reduced to practice by Applicant prior to February 27, 2003. The above Claim Chart for Added Claims and Supporting Portions of Applicant's Specification

indicates where the new copied claims are supported by the Applicant's disclosure.

VII. Showing of Priority Under 37 CFR §41.202(d) and 35 USC §102(g)

Attached hereto is a Declaration by the Applicant setting forth facts sufficient to establish that the Applicant had conceived of the invention and exercised diligence until actual reduction to practice prior to February 27, 2003. Applicant further submits that she did not abandon, suppress, or conceal the invention. Corroborating documentary evidence is also included with the declaration to further support Applicant's showing of priority. Applicant believes that this showing is sufficient to support a determination of priority in her favor.